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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/533,453

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EXAMINER

MONDT, JOHANNES P

ART UNIT

PAPER NUMBER

3663

MAIL DATE

DELIVERY MODE

11/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/533,453

Applicant(s)

TAKAHASHI ET AL.

Examiner

Johannes P. Mondt

Art Unit

3663

All participants (applicant, applicant's representative, PTO personnel):

(1) Johannes P. Mondt.

(3) _____

(2) P. Sistare.

(4) _____

Date of Interview: 15 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 2.

Identification of prior art discussed: Wakselman et al, Sato and Maksimchuk et al as cited.

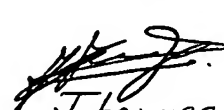
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Primary Examiner:

 (10/15/07)
Johannes Mondt (A43663)

Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's Representative proposed an amendment to claim 2, to recite a percentage of porosity as disclosed in par. [0047]. Examiner did a quick search of the prior art and the technical literature and found two different meanings of percentage of porosity, one on percentage of volume found in most prior art documents, another on percentage of surface area: see, for instance, Kojima et al (US 2003/0159928 A1) (not cited for teaching but so as to establish fact on existing nomenclature), raising the spectre of poly-interpretability and hence of indefiniteness. Examiner warns that rejection over a percentage based on surface area (a) does not necessarily meet the percentage defined by volume (e.g., an isotropically and homogeneously distributed porosity of a volume percentage of 0.1% would show up in a surface measurement as a porosity of 10%) and (b) could be cited against the claim. Applicant's representative also conveyed applicant's basis of traverse of the rejections under 102(b)/103(a) and 103(a). In particular, applicants assert that high-intensity laser irradiation followed by thermal diffusion through a heating step does not meet the limitation "impregnate", basing their traverse on a definition of "impregnate" found in McGraw-Hill's Dictionary of Science & Technology. Examiner responded that said traverse fails to persuade because according to Merriam-Webster's Collegiate Dictionary (tenth Edition) (1998) "impregnate" means also "to permeate thoroughly" (page 584), while "permeate" means "to diffuse through or penetrate something", which makes it clear that in at least one common interpretation the disclosed thermal diffusion of the prior art meets the limitation "impregnate". An argument on time order in traverse of the rejection under 103(a) over Maksimchuk et al, based on when the target as claimed is available in Maksimchuk et al fails in examiner's view to overcome the rejection because Maksimchuk et al can obviously use the target repeatedly. Applicants also presented an argument in traverse of Sato as secondary reference for the teaching of porosity and questioned the content of Wakselman based on the abstract. Examiner will make of record translations of both Wakselman et al and Sato through the US PTO's Translations Services and defers judgment until such time as said translations will be available. . .